

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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**UNITED STATES SECURITIES AND  
EXCHANGE COMMISSION**

**Plaintiff,**

**vs.**

**TESLA, INC.**

**Defendant.**

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**No. 1:18-cv-8947**

**CONSENT MOTION FOR ENTRY OF FINAL JUDGMENT**

Plaintiff United States Securities and Exchange Commission (the “Commission”) respectfully submits this consent motion to enter final judgment according to the parties’ settlement. In support of this motion, the Commission states the following:

1. On September 29, 2018, the Commission filed a Complaint against Defendant Tesla, Inc. (“Tesla”) alleging violations of the federal securities laws.
2. The parties have reached a settlement agreement in this case. Attached hereto as Exhibit 1 is the executed Consent of Defendant Tesla, setting forth the terms of its settlement with the Commission.
3. Attached hereto as Exhibit 2 is the proposed Final Judgment to which Defendant Tesla agreed. The proposed Final Judgment would permanently enjoin Tesla from violating Rule 13a-15 of the Securities Exchange Act of 1934. It would also order Tesla to pay a penalty of \$20,000,000 and to comply with the undertakings detailed in the Final Judgment.

The Commission respectfully requests that the Court enter the proposed Final Judgment attached hereto as Exhibit 2.

Dated: September 29, 2018

Respectfully submitted,

/s/ Jina L. Choi

Jina L. Choi

Cheryl L. Crumpton\*

E. Barrett Atwood\*

\*Motion to appear *pro hac vice* forthcoming

U.S. Securities and Exchange Commission

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